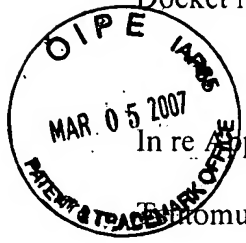


Handwritten signature/initials

Docket No.: 043888-0267

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tomu OHZUKU, et al.

Application No.: 10/629,815

Filed: July 30, 2003

: Customer Number: 20277

: Confirmation Number: 9492

: Group Art Unit: 1745

: Examiner: LEE, CYNTHIA K

For: POSITIVE ELECTRODE ACTIVE MATERIAL AND NON-AQUEOUS ELECTROLYTE
SECONDARY BATTERY CONTAINING THE SAME

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

03/06/2007 SZEWDIE1 00000001 500417 10629815
01 FC:1806 180.00 DA

In accordance with 37 CFR 1.17(p), please charge the fee of \$180.00 to Deposit Account No. 500417.

10/629,815

Please charge any shortage in fees due in connection with the filing of this paper,
including extension of time fees, to Deposit Account 500417 and please credit any excess fees to
such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Bernard P. Codd

Registration No. 46,429

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 BPC:ark
Facsimile: 202.756.8087
Date: March 5, 2007

**Please recognize our Customer No. 20277
as our correspondence address.**



SHEET 1 OF 3

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)	ATTY. DOCKET NO. 043888-0267	SERIAL NO. 10/629,815
APPLICANT Tsutomu OHZUKU, et al.		
FILING DATE July 30, 2003		GROUP 1745

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US 6,551,744 B1	04-22-2003	Ohzuku et al.	
		US 2005/0147889 A1	07-07-2005	Ohzuku et al.	
		US 2006/0204847 A1	09-14-2006	Ohzuku et al.	
		US 6,168,887 B1	01-02-2001	Dahn et al.	
		US 6,436,577 B1	08-20-2002	Kida et al.	
		US 6,808,848 B2	10-26-2004	Nakanishi et al.	
		US 5,626,635	05-06-1997	Yamaura et al.	
		US 2003/0082448 A1	05-01-2003	Cho et al.	
		US 6,045,771	04-04-2000	Matsubara et al.	

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Code ¹ -Number ¹ - Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation Yes No	
		JP 2001-185153 A	07-06-2001	SANYO ELECTRIC CO.		JAPAN (w/English abstract)	
		JP 2000-149923 A	05-30-2000	FUJI CHEM IND CO LTD		JAPAN and English Translation	
		JP 11-292547 A	10-26-1999	ISHIHARA SANGYO KAISHA LTD		JAPAN (w/English abstract)	
		JP 11-167919 A	06-22-1999	NIKKI CHEMICAL CO LTD		JAPAN (w/English abstract)	
		JP 11-60246 A	03-02-1999	SAKAI CHEM IND CO LTD		JAPAN and Partial English Translation	
		JP 10-316431	12-02-1998	FUJI CHEM IND CO LTD		JAPAN and Partial English Translation	
		JP 8-171910 A	07-02-1996	MATSUSHITA ELECTRIC IND CO LTD		JAPAN (w/English abstract)	
		JP 8-138670 A	05-31-1996	TOSHIBA CORP		JAPAN and Partial English Translation	
		WO 98/57386	12-17-1998	SANYO ELECTRIC CO., LTD		JAPAN (w/English abstract)	

EXAMINER	DATE CONSIDERED
----------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)				ATTY. DOCKET NO. 043888-0267		SERIAL NO. 10/629,815	
				APPLICANT Tsutomu OHZUKU, et al.			
				FILING DATE July 30, 2003		GROUP 1745	
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		US					
		US					
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes - Number - Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation Yes No	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
		OHZUKU, T. et al., "SYNTHESIS AND CHARACTERIZATION OF LiNiO ₂ (R3m) FOR RECHARGEABLE NONAQUEOUS CELLS," Chemistry Express, Vol. 6, No. 3, March 1991, pp. 161-164, KINKI CHEMICAL SOCEITY, JAPAN					
		OHZUKU, T. et al., "NEW ROUTE TO PREPARE LINIO ₂ FOR 4-VOLTS SECONDARY LITHIUM CELLS," Chemistry Express, Vol. 7, No.9, pp. 689-692, 1992, KINKI CHEMICAL SOCIETY, JAPAN					
		OHZUKU, T. et al., "Synthesis and Characterization of LiAl _{1/4} Ni _{3/4} O ₂ (R3m) for Lithium-Ion (Shuttlecock) Batteries," JOURNAL OF THE ELECTROCHEMICAL SOCIETY, Vol. 142, No. 12, The Electrochemical Society, Inc., December 1995, pp. 4033-4039					
		CHO, et al. "Preparation of Layered Li[Ni _{1/3} Mn _{1/3} Co _{1/3}]O ₂ as a Cathode for Lithium Secondary Battery by Carbonate Coprecipitation Method, Chemistry Letters, 02-24-2004, pg 704-705, Vol.33 No.6, The Chemical Society of Japan, Japan					
		OHZUKU, T. et al., "COMPARATIVE STUDY OF LiCoO ₂ , LiNi _{1/2} Co _{1/2} O ₂ AND LiNiO ₂ FOR 4 VOLT SECONDARY LITHIUM CELLS," The Journal of The International Society Of Electrochemistry, June 1993, pg 1159-1167, Volume 38 Number 9, Pergamon Press					
		OHZUKU, T. et al., "Why transition metal (di) oxides are the most attractive materials for batteries," Solid State Ionics, August 1994, pg 202-211, Volume 69 No. 3,4, North-Holland, The Netherlands					
		OHZUKU, T. et al., "Solid State Electrochemistry of Intercalation Compound of LiAl _{1/2} Ni _{1/2} O ₂ (R3m) for Lithium-Ion Batteries," Electrochemisty of Intercalation, (1998), pg 1209-1214, Volume No. 12, The Electrochemical Society of Japan, JAPAN					
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)				ATTY. DOCKET NO. 043888-0267		SERIAL NO. 10/629,815	
				APPLICANT Tsutomu OHZUKU, et al.			
				FILING DATE July 30, 2003		GROUP 1745	
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		US					
		US					
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes-Number 4-Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document		Pages, Columns, Lines Where Relevant Figures Appear	Translation Yes No
		JP 5-283076 A	10-29-1993	MATSUSHITA ELECTRIC IND CO LTD			JAPAN (w/English Abstract)
		WO 02/40404 A1	05-23-2002	HITACHI MAXELL, LTD.		Corresponds to EP 1 295 851 A1	JAPAN (w/English Abstract)
		EP 1 295 851 A1	03-26-2003	HITACHI MAXELL, LTD.		Corresponds to WO 02/40404 A1	X
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
		Observations of a third party submitted to Japanese Patent Application No. 2000-227858, mailed on August 1, 2005					
		Observations of a third party submitted to Japanese patent application No. 2002-303294, mailed on January 18, 2007					
		M. YOSHIO ET AL., "Preparation and properties of $\text{LiCo}_x\text{Mn}_{1-x}\text{Ni}_{1-x}\text{O}_2$ as a cathode for lithium ion batteries," Journal of Power Sources 90 (2000), pp. 176-181, Elsevier					
		LU, Z. et al., "Layered $\text{Ni}[\text{Ni}_x\text{Co}_{1-2x}\text{Mn}_x]\text{O}_2$ Cathode Materials for Lithium-Ion Batteries," Electrochemical and Solid-State Letters, Vol. 4, No. 12, pp. A200-A203, December 2001, The Electrochemical Society					
		Y. TERADA ET AL., "In Situ XAFS Analysis of $\text{Li}(\text{Mn}, \text{M})_2\text{O}_4$ ($\text{M} = \text{Cr}, \text{Co}, \text{Ni}$) 5V Cathode materials for Lithium-Ion Secondary Batteries," Journal of Solid State Chemistry 156, pp. 286-291, 2001					
		LU, Z. ET AL., "Layered Cathode Materials $\text{Li}[\text{Ni}_{1/3-2x/3}\text{Mn}_{1/3-x/3}]\text{O}_2$ for Lithium-Ion Batteries," Electrochemical and Solid-State Letters, 4 (11), pp. A191-A194(2001), The Electrochemical Society, Inc.					
		H-S PARK ET AL., "Relationship between Chemical Bonding Character and Electrochemical Performance in Nickel-Substituted Lithium Manganese Oxides," J. Phys. Chem., B 2001, 105, pp. 4860-4866, American Chemical Society					
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.